



FEDERAL ELECTION COMMISSION

Washington, DC 20463

March 22, 1999

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Alec Poitevint, Treasurer  
Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 4885

Dear Mr. Poitevint:

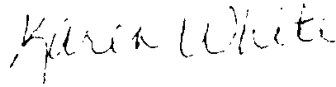
The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the attached order and subpoena which requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider the Republican National Committee a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to submit the information within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you have any questions, please contact me at (800) 424-9530 or (202) 694-1650.

Sincerely,



Karen White  
Paralegal

Enclosure  
Subpoena and Order

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4885

**SUBPOENA TO PRODUCE DOCUMENTS**  
**ORDER TO SUBMIT WRITTEN ANSWERS**

TO: Alec Poitevint, Treasurer  
Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto  
set his hand in Washington, D.C. on this 14<sup>th</sup>, day of March, 1999.

For the Commission,



Scott E. Thomas  
Chairman

ATTEST:



Marjorie W. Emmons  
Secretary to the Commission

Attachments

Document Request and Interrogatories (5 pages)

March 27, 1998 Correspondence from Haley R. Barbour (1 page)

## INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from February 1, 1995 to present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

### DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"RNC" shall mean the Republican National Committee, the witness to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"LNB" shall mean the Laredo National Bank, Laredo, Texas, including all officers, employees, agents or attorneys thereof.

"Gary G. Jacobs" shall mean the LNB's President at the time of the transactions at issue, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, calendars, appointment books, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. For all types of documentary records requested, if any of these records are maintained on any storage format for computerized information (e.g., hard drive, floppy disk, CD-ROM), provide copies of the records as maintained on that format, in addition to the hard copies (i.e., paper copies), and identify the type of storage format produced.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document and the source of all handwritten notations.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the occupation or position of such person at the time of the transactions at issue in this matter, the position description (including duties) of the person at the time of the transactions at issue, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"Describe" with respect to a communication, including all solicitation communications, shall mean state the subject of the communication, the contribution amount solicited and the date, location and duration of the communication. Identify all persons participating in the communication and describe each persons substantive participation in the communication.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

## DOCUMENT REQUESTS AND INTERROGATORIES

These Documents Requests and Interrogatories relate to the April 3, 1995 combined \$15,000 contribution made to the Republican National Committee by Gary G. Jacobs and his wife.

A. Concerning the solicitation of the contribution:

1. Describe the circumstances surrounding each separate solicitation for the contribution at issue, including the identity of all persons who made such solicitations, the dates on which all such solicitations were made, and the location where the all such solicitations were made. Describe in detail the substantive participation in the solicitations of each identified person.
2. Identify all persons receiving fundraising credit for the contribution.
3. Describe and produce all documents relating to or referencing each solicitation of the contribution, including but not limited to all written solicitations, all minutes or notes taken concerning the solicitations, all internal memoranda concerning the solicitations, all memoranda of telephone calls and calendar or appointment book entries evidencing each occurrence of a solicitation.

B. Concerning the making of the contribution:

1. Describe any contribution commitment made by Gary G. Jacobs and/or the LNB to the RNC. State the amount of the contribution commitment, the date made, and the persons to whom the commitment was made.
2. Describe how the contribution was transmitted or forwarded to the RNC (*i.e.*, by mail, by hand). If the contribution was forwarded or transmitted in connection with a fundraising event, state when and where the event was held, identify all RNC persons to whom the contribution was given, identify all RNC person at the event informed of the making of the contribution, and identify all RNC person at the event who were involved the solicitation of the contribution at any time.
3. Identify all persons transmitting or forwarding the contribution and identify all persons receiving the contribution at the RNC.



4. Describe and produce all documents relating to or referencing the contribution, the contribution commitment and the forwarding or transmission of the contribution, including but not limited to all contribution cards, all internal contribution tracking documents, all pledge cards (or other similar documents attributing a contribution to a solicitor).
- C. Identify all persons who provided any information or assistance used in the preparation of the responses to these questions and document requests. For each person identified, state for which question or document request the information or assistance was used.